IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE EIGHTEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 19254 of 2004

Between:

N. Vijaya Saradhi, S/o. Ranga Rao,
Penugonda, West Godavari.

..... PETITIONER

AND

1 The Jt. Registrar/District Cooperative Officer, W.G.District Eluru.
2 The Commissioner for Coop. and Registration of Coop.- Societies, Gruhakalpa, Nampally, Hyderabad.
3 The Reserve Bank of India, rep. by its Executive Director Urban Banks, Central Office, 1st Floor, Garment House, Mumbai, Maharashtra.
4 The Chief Executive Officer/Secretary, The Palakol Cooperative Urban Ltd., Palakol, West Godavari District.
5 The Divisional Coop. Officer, Bhimavaram, West Godavari District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ of Mandamus or any other appropriate writ, order or direction declaring the proceedings in R.O.C.(Coop) No.680-F dt. 12.2.2004 issued by the 1st respondent as illegal, arbitrary and contrary to law and consequently set aside the same and pass.

Counsel for the Petitioner:MR.K.CHIDAMBARAM

Counsel for the Respondents 1,2 and 5: GP FOR COOPERATION

Counsel for the 4th respondent: Venkata Jaggi Reddy T.

Counsel for the respondent No. 4: Mr.M.P. Ugle

The Court made the following :

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ORDER:

Heard both the counsel and at their request the main Writ Petition itself is taken up for disposal.

Petitioner herein claims to be the Director of the Palakol Cooperative Urban Bank Limited, Palakol, West Godavari District filed this Writ Petition inter alia, seeking Writ of Mandamus challenging the proceedings dated 12.2.2004, where under Joint Registrar/District Cooperative Officer, West Godavari District, Eluru issued orders appointing the Divisional Cooperative Officer, Bhimavaram, West Godavari District as an Administrator/Special Officer of the Bank initially for a period of one year from the date of assumption of charge as Administrator/Special Officer to manage the affairs of the PalakolCooperative Urban Bank Limited, Palakol, West Godavari District.

After considering the submission made by both the parties and also on perusal of the entire affidavit sworn to by the petitioner, the only reason shown before this court is that earlier another Director had filed a Writ Petition No. 2951 of 2004 and obtained interim orders on 19.2.2004 and subsequently, the Writ Petition was withdrawn and therefore, as the petitioner was also a Director, he would be affected by the impugned orders. Hence, the present Writ Petition.

On a reading of the entire paragraphs 1 to 6, I do not find any specific ground raised, challenging the impugned proceedings. As stated above, it is only because earlier Writ Petition filed by another Director was dismissed as withdrawn, the petitioner filed this Writ Petition. Except stating so, no other reasons shown or any

grounds have been pointed out as against the impugned proceedings.

Having regard to the same, I do not find any justification to entertain the very Writ Petition in exercise of powers under Article 227 of the Constitution of India. The petitioner does not know as to how the impugned proceedings can be challenged and he does not come out with specific averments in the affidavit. Therefore, the very Writ Petition is not maintainable.

Accordingly, the Writ Petition is dismissed. No costs. However, the petitioner is not precluded form filing a fresh writ petition questioning the order impugned in this Writ Petition.

Ka 18.11.2004.

To

1 The Jt. Registrar/District Cooperative Officer, W.G.District Eluru.
2 The Commissioner for Coop. and Registration of Coop.- Societies, Gruhakalpa, Nampally, Hyderabad.
3 The Reserve Bank of India, rep. by its Executive Director Urban Banks, Central Office, 1st Floor, Garment House, Mumbai, Maharashtra.

4 The Chief Executive Officer/Secretary, The Palakol Cooperative Urban Ltd., Palakol, West Godavari District.
5 The Divisional Coop. Officer, Bhimavaram, West Godavari District.

6. 2 CC to G.P. for Cooperatives, High Court Buildings, High Court of A.P. Hyderabad. (out)

7. 2CD copies